

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANK CRIDLAND, Plaintiff, v. KMART CORPORATION, Defendant.	CIVIL ACTION NO. 12-0157
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ORDER

AND NOW, this 8th day of March, 2013, upon consideration of Defendant's Motion for Summary Judgment (ECF 25), Plaintiff's Response (ECF 27), Defendant's Reply (ECF 28), the arguments put forth at oral argument on March 7, 2013, and for the reasons stated in the accompanying Memorandum of Law, it is hereby **ORDERED**:

1. Defendant's Motion for Summary Judgment (ECF 25) is GRANTED.
2. Plaintiff's Complaint is DISMISSED.
3. Judgment is ENTERED in favor of Defendant and against Plaintiff.
4. The clerk shall close this case.

BY THE COURT:

/s/ **Michael M. Baylson**

Michael M. Baylson, U.S.D.J.